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SUBJECT: ETHIOPIA: WORST FORMS OF CHILD LABOR UPDATE

REF: 05 STATE 143552

11. Requested information about the worst forms of child labor in Ethiopia follows and is organized per reftel instructions.

12.

1A. LAWS AND REGULATIONS PROSCRIBING THE WORST FORMS OF CHILD LABOR

Ethiopia's Labor Proclamation (42/93) prohibits children below the age of 14 from working. The same proclamation limits conditions of work for children between the ages of 15 and 18, but such children are allowed to work so long as it is not hazardous to their health or developmental progress. The proclamation also outlines certain conditions for young workers (i.e., maximum of seven working hours per day, prohibition of overtime and night work, and provision of weekly rest and public holidays). (Note: Age 15 is consistent with the age of completing primary education, while 18 years is consistent with the age of completing secondary education. Article 176 of Ethiopia's Criminal Code identifies minors as age 15 or younger, identifies age 18 as the age of legal majority, and notes that those between age 15 to 18 belong to an "intermediary age group." End Note.)

The Ethiopian Penal Code outlaws work specified as hazardous by the International Labor Organization (ILO) convention, but the labor law of Ethiopia does not define or specify the worst forms of child labor. The GOE ratified Convention 182 on May 8, 2003. As the Ethiopian constitution states that all international conventions and covenants ratified by Ethiopia are an integral part of the law of the land, the list of occupations listed by the ILO Convention would also apply in Ethiopia. The country has not developed an explicit list of occupations considered to be the worst forms of child labor.

Children are prohibited from working in the following sectors: transportation of passengers and goods by road, railway, air or water; work carried out on dockside and warehouse involving heavy weight lifting, pulling or pushing of heavy items or any other related type of work; work connected with electric power generation plants, transformers or transmission lines; underground work such as mines, quarries and similar work; construction work on high scaffolding; working in sewers and digging in tunnels; street cleaning; toilet cleaning; separation of dry and liquid waste materials and transportation of waste materials; working on production of alcoholic drinks and cigarettes; hotels, motels, nightclubs and similar service giving activities; grinding, cutting and welding of metals; work involving electrical machines to cut, split or shape wood, etc.;

felling timber; and, work that involves mixing of chemicals and elements which are known to be harmful and hazardous to health.

ILO noted that the Ethiopian government was in the process of developing a list of occupations considered to be the worst forms of child labor, but a formal list has yet to be officially published.

#### B. REGULATIONS FOR IMPLEMENTATION AND ENFORCEMENT

The responsible authority for implementing children's rights provisions in Ethiopia is the Ministry of Labor and Social Affairs (MOLSA). Courts are responsible for enforcing children's rights. Criminal and civil penalties may be levied in child rights violation cases. According to MOLSA, a national strategy is being formulated to enforce child labor laws. Due to the absence of a national strategy, investigation and disposition of child rights violation cases is minimal. The Forum for the Street Children in Ethiopia reported that only one of 213 child rights cases had been adjudicated in a court of law.

#### C. SOCIAL PROGRAMS

The Ethiopian government encourages children to attend school, but it is not/not compulsory. In recent years, the government increased its budget for primary education. A number of schools, particularly in rural and remote areas, have been under construction, while existing schools have been rehabilitated, to maximize capacity for enrollment. There are not enough schools, however, to accommodate Ethiopia's population of school age children. According to the Ministry of Education, 79.8 percent of school age

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children attended school in the 2003/2004 academic year.

The Ministry of Education provided the following primary school retention rates for the 2003/2004 academic year:

GRADE	GR 2	GR 3	GR 4	GR 5	GR 6	GR 7	GR 8
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BOYS	66.9%	54.9%	44.9%	37.7%	30.3%	27.1%	20.8%
GIRLS	67.8	56.4	47.2	40.3	33.2	30.7	24.1
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TOTAL	67.3	55.5	45.9	38.8	31.5	28.5	22.1

#### D. COUNTRY POLICIES AIMED AT ELIMINATING WORST FORMS OF CHILD LABOR

There is no particular policy in Ethiopia designed to ensure the effective abolition of child labor and to raise the minimum working age progressively, but there are various economic and social policies that have indirectly addressed the issue. For example, the Ethiopian government initiated the education and training policy aimed at achieving universal enrollment in primary school by 2015. A new National Plan of Action (NPA) is being drafted which will include a component on improving the well-being of Ethiopian children. Little information about the implementation and effectiveness of government policies involving the protection of children is available, at this time.

#### E. PROGRESS TOWARDS ELIMINATING WORST FORMS OF CHILD LABOR

Child labor is widespread in Ethiopia. A 2001 ILO report estimates that Ethiopia has 18 million children (age 5-17) who comprise 33 percent of the population; one-third of those children combine work and school, while one-half work without attending school. MOLSA reports that 92 percent of children work in households without pay, while 3 percent are engaged in activities other than domestic chores. On average, children work 33 hours per week. Thirty-eight percent confirm that their work affects their schooling. Two in three children indicate that they volunteer to assist with

household work, while one in four children indicate they must work to supplement household income. According to MOLSA, two out of five children in Ethiopia who work are below the age of six.

Child labor in Ethiopia is generally comprised of children working in subsistence farming alongside their parents in rural areas. (Note: Eighty-five percent of Ethiopian population is engaged in subsistence agriculture. End Note.) The GOE does not perceive this as a child labor issue as much as a development problem, and therefore tries to tackle it through school construction and agricultural development.

MOLSA provided the following data collected in 2001; it is the most recent government-issued information.

Table 1.

AGE	ENGAGED IN PRODUCTIVE WORK	ENGAGED IN HOUSE-KEEPING ACTIVITIES	NOT WORKING
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5-9	38.9%	35.4%	25.7%
10-14	62.4	32.9	4.7
15-17	67.5	29.7	2.8

Table 2.

EMPLOYMENT TYPE (CHILDREN 5-17)	MALE	FEMALE	TOTAL
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Domestic Employee	0.4	1.8	0.9
Employee (not domestic)	4.1	1.3	3.0
Self-Employed	2.2	4.1	3.0
Unpaid Family Work	92.6	91.7	92.3
Apprentice	0.1	0.0	0.1
Not Stated	0.6	1.1	0.7
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